

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated February 8, 2007. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-17 are pending in this application. Claims 1, 10, and 13 are independent claims.

In the Final Office Action, Claims 1-5 and 7-9 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,676,579 to Parham ("Parham"). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Parham in view of U.S. Patent No. 5,675,677 to Davenport ("Davenport"). Claims 10-12 and 16 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Parham in view of Eggink. Claims 13-15 and 17 are rejected as allegedly unpatentable under 35 U.S.C. §103(a) over U.S. Patent No. 5,646,473 to Eggink ("Eggink") in view of Parkam.

These rejections are respectfully traversed.

It is respectfully submitted that the final Office Action has taken an untenable position in asserting that in Parham, the "not labeled electrode extending from the end, best seen in figure 15"

(see, Final Office Action, page 2, last paragraph, lines 3-4) and the "not labeled extending from 264 in fig. 15" (see, Final Office Action, page 3, lines 7-8) which correspond to the same part in Parham, namely an electrode, is both "an exposed electrode extending out of the end and the end of the discharge vessel which is not mostly covered, as for example required by claim 1. Perhaps the Final Office Action is suggesting that the portion of the end that extends inward from 264 is the not covered end, but only up to the point where it begins to be covered? In either event, it is respectfully submitted that this interpretation of the claims is contrary to how the claims would be readily interpreted by a person of ordinary skill in the art.

The Final Office Action has taken the position that (emphasis provided) "no special definition or meaning has been assigned to either of the terms 'mostly' or 'the end,' the examiner asserts that Parham does indeed disclose at least in figure 15 that the at least one primary reflector (290) covers a portion (an end portion) of the hollow discharge vessel (292) but does not mostly (i.e. for the most part; in the main) cover the end (not labeled uncoated section extending from 264)."

(see, Final Office Action, page 10,

Response to Arguments section.) The position that "no special meaning is attached to "mostly" end "the end" is simply not true. As a first point, "the end" as for example required by claim 1, is an end of the hollow discharge vessel. Claim 1, for example, requires "a hollow discharge vessel having an extended end ...". Clearly the so-called end portion of Parham that extends inward from 264, is not an end to the discharge vessel if it is interpreted as terminating where the primary reflector begins as readily appreciated by a person of ordinary skill in the art. It is respectfully submitted that "a discharge vessel" is a term of art and would be readily understood to not extend outward to the uncovered portion in Parham. "Mostly" is apparently understood even by the Final Office Action to mean "for the most part; in the main" as stipulated in the Final Office Action, on page 10, lines 11-12.

The Final Office Action has further taken the position regarding claim 13 that Eggink allegedly shows "at least in figure 1 that the envelope reflector (7) covers a portion (an end portion) of the envelope (42) but does not mostly (i.e. for the most part; in the main) cover the end (43)." It is not clear how the Final

Office Action interprets the "mirroring disc 7 ... indicated with a broken line" in FIG. 1 (see, Eggink, Col. 3, lines 46-48 and FIG. 1), as corresponding to "an envelope reflector at least partially covering said substantially ellipsoid-shaped envelope; ... wherein said ellipsoid-shaped envelope has an extended tail end ... wherein said envelope reflector covers a portion of said substantially ellipsoid-shaped envelope but does not mostly cover said tail end" as required claim 13. In fact, the mirroring disc 7 of Eggink does not cover any portion of the square-shaped envelope 42.

There is simply no showing in Parham or Eggink of a reflector covering a portion of the hollow discharge vessel that does not mostly cover the end of the discharge vessel/envelope as required by the claims.

However, merely to shut the door on any further erroneous interpretations of the claims which are unsupported by any reasonable expansive interpretation, independent claims 1, 10, and 13 have been amended herein to better clarify the Applicants' invention. Claims 1, 10, and 13 have been amended to substantially state (emphasis added) "an extended end that starts at said hollow discharge vessel and extends outward ..."

It is respectfully submitted that the above amendments were not made to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. It is further submitted that a person of ordinary skill in the art would already have understood the claims to have meant this without this amendment. Further, Applicants reserve their right to reintroduce the original or previously amended claims, or subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

It is respectfully submitted that the reflector lamp of claim 1, 10 and 13 are not anticipated or made obvious by the teachings of Parham, Eggink or any combination thereof. For example, Parham and/or Eggink do not disclose or suggest, a reflector lamp that amongst other patentable elements, comprises (illustrative emphasis provided) "a hollow discharge vessel having an extended end that starts at said hollow discharge vessel and extends outward, ... wherein the at least one primary reflector covers a portion of the hollow discharge vessel but does not mostly cover the end" as required by Claim 1 and substantively required by claims 10 and 13. Davenport is cited for other reasons and does not cure the defects

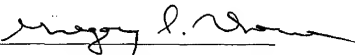
in Parham.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 10 and 13 are patentable over Parham and Eggink and notice to this effect is earnestly solicited. Claims 2-9, 11-12 and 14-17 depend from claims 1, 10 and 13 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of claims 2-9, 11-12 and 14-17 is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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